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Freedom of Religion in the Context of the Lisbon Treaty¹⁴

Today there is a need for conversation on Europe, and within Europe on the situation of Hungary. We can talk about the situation of Hungary in Europe on many different fora, but only in terms of what it means in its complexity to step out a little of our own, narrower, and so fondly beloved homeland. Consequently, it is very important that this conversation today happens here, in this corner of the country, which is close to me.

For us today here, the utmost task is to provide correct and unambiguous information on the topic that we can then use in our respective fields of work. When we talk about dialogue, interreligious dialogue in general, or about the possible solutions for different conflicts, it is very important that we be able to transpose this dialogue into our work, our situation, and into the practice.

I feel it exceptionally important that – when we talk about the European Union – we keep in mind that Europe and the European Union are closely connected; however, they are not one and the same. The European Union is an institution, with successes and failures, created arising out of a community of values that incentivised Europe to nourish a unique culture of dialogue. I think it is important to declare that because today this institution – so to say – presents the symptoms of being in crisis, similarly to a lot of different institutions worldwide, I do not think that – and this is the personal note of the matter – this means the end of Europe. For us the most important issue is what will Europe mean in our lives, in our own environment for the upcoming 20-30 years. Because no one should think – at least that is my personal opinion – that we will be able to matter in the present world order with a Europe that is torn apart. Thus, there is a European Union, with which we have a lot of problems and worries, and a given geopolitical situation that is very modern, but requires thought-through responses essentially from every European country. I am convinced that Europe is not done with, but it is in its adolescent years. The situation is like when the silly teenage boy tries to break out of the boundaries of his own order, traditions and to find something entirely new – we have all experienced this so far. Let us be honest, it is not normal that this continent is the only continent in the world that declared an intention to resolve its most important tasks without religion. Let me emphasise, we shall be careful with what we say. Europe does not mean irreligiosity today either. Europe is in the midst of path finding that is controversial and built from many historical layers.

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14 On the basis of the lecture delivered at the conference entitled “Cultural Identity: the Role of Religion in Europe” (25th April 2013)

The title for my presentation is “Religious Freedom in Light of the Lisbon Treaty”. In relation to the Lisbon Treaty and the so-called Constitution, the European Constitution – which never entered into force due to the French and Dutch referenda –, the mentioning of Christianity or lack thereof is always a priority topic within different denominations and churches. It is an eternal question. Whenever we want to strike the first blow on the EU, this one is a safe bet. Nonetheless, all I say, it seems like a safe bet. Because what really is the situation? We should refine this a little.

In 2003 the Draft Constitution is born and as a matter of fact, according to a general, European point of view, it is shameful that the mention of Christian tradition – the one that holds us together – was left out. It was left out based on the recommendations of a body lead by a man, who regularly takes communion; - he is Giscard d’Estaing for that matter. This is a very interesting situation. An already well-established French tradition does not make this possible; thus, this was not a general ‘*attaque*’ against European Christian traditions in general. Obviously it is indeed a serious flaw, however, that this was able to influence European politics with such a weight and to gain such a divisive role.

I was the guest of Premier Berlusconi at the time due to a lucky chance, with former fellows. Mr. Berlusconi, in his own dynamic ways, pounded on the table that it can never occur that the Christian values of Europe are left out of the Constitution, and now look what we have here, they were left out because of the above.

When someone is really in dismay because of this, then we shall look for a second at the Lisbon Treaty. It does represent exactly the opposite of the above. Its Article 17 is the first, and I emphasise again, first legally relevant reference as part of European law that is binding on the dialogue between the European institutions and the churches, religions. This is a giant step forward, and today’s conference – in a broader sense – also deals with the possibilities therein and with the establishment of the framework therefor. We can find many more provisions in the TFEU that protect faith and religious freedom. Article 10, the Union shall be obliged to battle any sort of discrimination; therefore, it protects faith and religious freedom. Article 17 sets forth that the European Union respects the status of churches and religious communities that they have under member state laws. Article 19 provides for mutual legal grounds for the fight against discrimination, including – obviously – any discrimination relevant to faith and religion. With the entry into force of the Lisbon Treaty, the Charter of Fundamental Rights of the European Union also becomes binding, and by this so do the passages guaranteeing religious freedom. Thus, the Lisbon Treaty brings about significant change in terms of the dialogue of the churches and religious communities with the Union – with this first legal recognition of the dialogue. The EU legal framework is one of the most detailed and comprehensive ones globally. It is the intention of the European Union to actually put these legal rules into practice through the fight against

religious discrimination. It is however also a very important, but a different question how this is done?

It is the duty of the dialogue in this new situation to find the opportunity that is understandable for the European people in their daily lives. This does not happen day-to-day, but the road that needs to be taken is clear. EU institutions think that religion is strictly liturgical action – might I add emphatically they do this with great political weight. The European palette is very wide in terms of what forms, significance and influence of churches is recognized. This is essentially part of everyone's the national competence, as mentioned above. It must be seen quite clearly that – and hereby I shall make a reference to a speech of President Sarkozy in the National Assembly in terms of the separation of Church and State in 1905; and all this coming from a Frenchman, sounds very important – that it needs to be examined in France and through that in the whole of Europe that role do churches have in society in the 21st century. It came to light that not only the states change and not only the rule of law. Pluralism and democracy came into being in such countries where there was dictatorship and they did not have democratic traditions – so to say – but also there is change on the part of the different denominations and churches. Churches most definitely have a meaning of constancy in a spiritual sense, but the social engagement and roles of churches and denominations shall also be rethought.

My situation as State Secretary for Religious Affairs is very exciting. Essentially, the essence of things is that we ourselves need to comprehend that we have a joint social responsibility either. If we are men and women of a church then in such capacity; if we are lay men and women then so; and if we are believers belonging to one of the churches, then so. This, as a matter of fact, did not go through, not in the Hungarian society and not even in the European society. It is simply not clear to what extent and in what form and manner can we count on churches in terms of a social challenge, say environmental protection.

There are some very important and serious occurrences on the European level in environmental protection, e.g., but on the level of churches, these are tied to certain people rarely to denominations, and to institutions, slightly more often. Thus, I see this joint building process to be the most important duty of the years to come. What is of essence here is that the legal foundations for this are ensured by the Lisbon Treaty. What shall be the content of all this, is all on us, all on us, on you. I would like to emphasise that the church is a very high-risk operation. As a member of a church, one knows about the church and has an identity. If one is a public figure dealing with religion, they also have their identities. If one is part of the management and institutional system of the church, they also have their respective identities. Truly, who actively deny the role of churches; they also have a relationship with the church. From this point of view, all of these things are important. The picture of the big ship invoked His Excellency Mr Bishop László Kiss-Rigó, eventually refers to all denominations and

in general to everyone living a life with a dimension of church, religion or afterlife. This is a new dimension, I think, a new epiphany of the need of new forms of cooperation and community is a new dimension for the institutional church starting out of the individual – thus convenient for individualistic Europeans – in order to serve the benefit of the entirety of society in no way encroaching upon church autonomy based on the democratic principles mentioned above.

The last thing that I would like to mention or share with you is the issue of All-Faith (Ecumene). I think it is a very exciting issue how the European and global conflicts are unmanageable without the cooperation of the different denominations and religions. I think that there is no sustainable solution of peace without interreligious dialogue, because if we look at the different, really grave social conflicts either in the present or recently – each and every one has its religious aspect. It is however a very serious and grave rationalisation and – understandably – an ideological flag of the leftist movements of the 60s and 70s – but still a rationalisation – that religion as a sociological fact or state is to be blamed for these conflicts. It is a fact that today's decision makers but even religious leaders shall be aware that conflicts cannot be resolved without them. This means Europe, and this means the world outside Europe. We can clearly see based on this solidarity what new signs of clashes between religions are apparent outside of Europe as well – and not only involving Christians, might I add emphatically. This is a new epiphany for those Christian. There is no other way but to learn to dialogue. I think this is a great advantage for Europe. I have some experience in Middle-Eastern, primarily Maghreb countries. If devout believers of Islam, Arabic believers look to Europe, it is always the question how they can cooperate. What a believer of Islam does never understand is how it is possible that European are not proud of being Christian. They cannot fathom this, and they cannot do anything with this information. This is, I think, one of the biggest grounds for conflict.

The issue of Ecumene is a very important issue for the whole of society. For the time being, in different forms, it sort of functions as primarily related to individuals, movements and scientific workshops. However, I feel it important that based on the above, we shall make the entirety of society see that the different denominations are able to work together for the whole of society. I think that the answer to the question why is very simple. For those who do not believe and know nothing about life in a church this gives credit to the fact that these denominations and churches in fact work together for the whole of society. If they can act together in concrete situations, this simply authenticates the joint social responsibility. It is totally indifferent whether this falls under the purview of European or national competence, this kind of joint activity is definitely decisive.

What needs to be rediscovered, in my opinion, – and as it has already been said by His Excellency Mr Bishop – is the churches' own spiritual background and resources. The importance thereof is unquestionable for all those who

believe. Another important branch is the conserving and preserving power of the community: of the community that means, represents values. Every church, every congregation and every community forging values together represent values to the whole of society. Therefore, the ways of thinking estranged from the church, that deal with churches as alien organs of society, can be cut back by way of these above thoughts either in Europe or even in Hungary. All this is a joint task. Hungary cannot say that we need to resolve this in Europe; we are – all of us – parts of Europe. We either do the job or do not, but we can no longer say that “they over there” should do it. We are also over there, and how we do our job will come to light eventually.